

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

ROBERT M. McFARLAND, :  
: Plaintiff, : CIVIL ACTION NO. 3:14-1236  
v. : (JUDGE MANNION)  
CAROLYN W. COLVIN, Acting :  
Commissioner of Social Security :  
: Defendant.

**ORDER**

Pending before the court is the report and recommendation of Magistrate Judge Gerald B. Cohn,<sup>1</sup> which recommended that the decision of the Commissioner of Social Security (“Commissioner”), denying the plaintiff’s social security disability insurance, be vacated and the action be remanded to the Commissioner to further develop the record, to conduct a new administrative hearing, and to appropriately evaluate the evidence of record. (Doc. [14](#)). The court has thoroughly reviewed each of the recommended bases presented by Judge Cohn for vacating and remanding the instant action, as well as the Briefs of counsel. Because the court agrees with the

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<sup>1</sup>Plaintiff’s counsel misidentifies Magistrate Judge Cohn as the “Magistrate.” (Doc. [16](#)). The title magistrate no longer exists in the U.S. Courts, having been changed from “magistrate” to “magistrate judge” in 1990. Judicial Improvements Act of 1990, 104 Stat. 5089, Pub. L. No. 101-650, §321 (1990) (“After the enactment of this Act, each United States magistrate . . . shall be known as a United States magistrate judge.”). Plaintiff’s counsel is reminded to use the correct title, in the future, when referring to Judge Cohn.

sound reasoning that led Judge Cohn to the conclusions in the report, the court adopts the report in its entirety.

**Therefore, IT IS HEREBY ORDERED THAT:**

- (1) the report and recommendation of Judge Cohn issued in the above-captioned matter, (**Doc. 14**), is **ADOPTED IN ITS ENTIRETY**;
- (2) the decision of the Commissioner denying the plaintiff's disability insurance benefits is **VACATED** and the matter is **REMANDED** for further proceedings in accordance with the report of the Judge Cohn; and
- (3) the Clerk of Court is directed to mark this action **CLOSED**.

s/ *Malachy E. Mannion*  
**MALACHY E. MANNION**  
United States District Judge

**Date: March 22, 2016**

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